

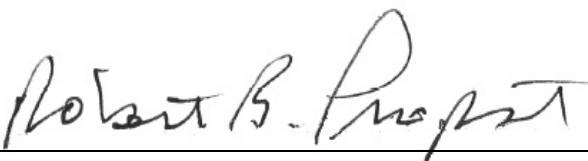
**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

CALVIN SPLUNGE,)	
)	
Petitioner,)	
)	
v.)	4:05-cv-01998-RBP-JEO
)	
WARDEN MITCHEM and THE)	
ATTORNEY GENERAL FOR THE)	
STATE OF ALABAMA,)	
)	
Respondents.)	

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation (doc. 16) and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, this petition for writ of habeas corpus is due to be denied and dismissed with prejudice. An appropriate order will be entered.

DONE, this the 6th day of March, 2007.



ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE